

RESPONSE

U.S. Appln. No. 09/295,580

However, the Examiner then maintained that the drawings did not illustrate a location name display device. Applicant points out that Fig. 9, element 14, in conjunction with the output of the controller 5, provides the location name output which is provided to the display. Therefore, the drawings meet all requirements for illustrating claim features, and any objections to the drawings should be withdrawn.

Turning to the merits of the Office Action, claims 3-6 remain pending in the application. Claims 3-6 remain rejected under 35 U.S.C. § 103 as being unpatentable over the combination of Kirson, Fukushima, Kakihara and Nakhla. Applicant respectfully submits the following arguments in traversal of the prior art rejections.

Applicant's invention relates to a navigation apparatus. Detailed descriptions of preferred embodiments of the invention are set forth in the September 22, 1999 Amendment at page 2. Kirson and Kakihara have been described in the parent application. Kakihara is described in the Amendment filed on August 13, 1998, at pages 5-6 and Kirson is described in the Amendment filed on December 22, 1998 at page 2. Nakhla and Fukushima are described in the September 22 Amendment of the present application at page 3. The Examiner is referred to these descriptions.

Further to these descriptions, Applicant submits that the primary reference Kirson illustrates a navigation device that permits the user to view several alternative travel routes between a start point "A" and a destination point "B". It appears that the Examiner is in agreement with the position that in order for Kirson to fulfill this purpose, multiple routes must be shown. Accordingly, multiple calculations must be made, one for each route. The user can

RESPONSE

U.S. Appln. No. 09/295,580

then select the most desirable route in accordance with a preferred condition (e.g. shortest travel time, type of road conditions, etc.).

The Examiner correctly concedes that Kirson does not include a calculation of a straight-line distance. In view of the fact that a multiple calculation must be performed in Kirson, the Examiner's motivation to include a straight line calculation mechanism in Kirson is not supportable for at least two reasons. First, at page 4, paragraph 1 of the October 27, 1999 Office Action, the Examiner maintains that "[i]t would have been obvious to incorporate the teaching of Fukushima et al. into the system of Kirson in order to simplify the calculation and time consuming [nature] about the calculated distance, there by [sic] improving the navigation system." However, it is clear that a **substitution** of the straight-line distance calculation into Kirson would render the reference inapposite for its intended purpose. It is understood that a straight-line distance calculation yields a single value, not multiple values as required in Kirson. Therefore, substitution of the straight-line distance feature of Fukushima clearly is not proper.

Second, the Examiner also contends that the straight-line calculation can be added in addition to **supplement** the multiple path calculation. However, providing both the multiple path calculation and the straight-line distance calculation in Kirson will not "simplify the calculation and time consuming [nature] about the calculated distance" as the Examiner contends. Using a straight-line distance as a supplement to road-distance calculations actually complicates the process in Kirson rather than simplifying it, which directly contradicts the Examiner's stated motivation for combining the teachings of the references. The Examiner clearly has not provided a supportable reason for combining features of Kirson and Fukushima.

RESPONSE

U.S. Appln. No. 09/295,580

Applicant submits that a reference-by-reference limitation-by-limitation analysis of the prior art without citing a supportable motivation to suggest the combination does not support an obviousness rejection. In re Dembiczak, 50 USPQ2d 1614, 1618 (Fed. Cir. 1999). Moreover, the Examiner may not resort to speculation, unfounded assumptions or hindsight reconstruction in maintaining an obviousness rejection. Ex parte Hammond, 41 USPQ2d 1217, 1220 (BPAI 1996). Therefore, independent claims 3 and 5 are patentable for at least this reason.

The Examiner also correctly concedes that Kirson does not teach that a plurality of distances to a plurality of locations are provided by the navigation device. The Examiner cites Kakihara and Nakhla as teaching these features. The Examiner maintains that it would be obvious to use Kakihara and Nakhla in a situation where a plurality of destinations are desired, thereby allowing the driver to see all the desired destinations together with their distances and to help the driver make a quick decision of selecting a desired destination. What the Examiner is ignoring is that Kakihara, like Kakihara, is directed to a navigation device with a single destination point. See. Kakihara, col. 6, lines 8-9. Thus, even though multiple locations are shown, there is still only a **single** destination that has already been selected by the user. Therefore, the Examiner's suggestion that multiple locations are shown "to help the driver make a quick decision of selecting a desired destination" is not supported since such a selection has previously been made. Any suggestion to make a selection from multiple destinations is taught by Applicant's own claims and specification. See pages 47-49. The Examiner may not use teachings and motivations supplied by Applicant to support an obviousness rejection. In re Vaeck, 20 USPQ2d 1438, 1442 (Fed. Cir. 1991).

RESPONSE

U.S. Appln. No. 09/295,580

Similarly, Nakhla pertains to an airplane alternate destination determining device when a **single** desired destination is not viable. See Nakhla, col. 3, lines 47-51. Therefore, the Examiner's proffered reason for combining Nakhla and Kirson also is not supported for this reason. Furthermore, to the extent that Nakhla provides alternative landing sites for an aircraft, it is essentially providing "detour" or travel preference information. Kirson teaches away from programming of such information after an intended destination has been selected. Rather, such travel information is preprogrammed into the computer and is taken into account in calculation of the single intended destination. Kirson, col. 4, lines 27-32. Therefore, the Examiner's motivation for combining references is not supportable for this additional reason, and independent claims 3 and 5 are patentable over the art of record.

With further regard to independent claim 5, the Examiner's rejection is further deficient for the following reasons. Even assuming *arguendo* that the references may be properly combined, their combination does not teach at least two features of Applicant's claim 5. First, this independent claim describes that different categories of location information are stored and that distance calculations are made for members of a selected category. None of the art of record teach the selection of different categories, and the Examiner has failed to indicate where this feature is taught in the art. Second claim 5 describes that a first point of interest, **other than a present location of a vehicle**, is selected and the distance is calculated from that point of interest to a selected destination point. However, as previously set forth, distances discussed in the references are distances between the present location of the vehicle and the selected destination point. Therefore, claim 5 is patentable over the art of record for these additional reasons.

RESPONSE
U.S. Appln. No. 09/295,580

Applicant submits that the Examiner may not maintain an obviousness rejection based merely on his personal doubts that an invention is patentable. Ex parte Hammond, 41 USPQ2d at 1220. Rather, there must be a logical reason apparent from the positive and concrete evidence of record which justifies combining primary and secondary references. In re Gergen, 11 USPQ2d 1652, 1653 (Fed. Cir. 1989) (unpublished).

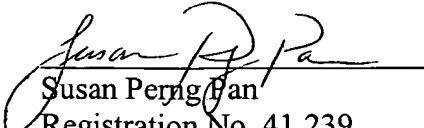
Applicant further submits that all of the pending claims are also patentable over the cited art for those reasons detailed in the September 22 Amendment.

In view of the above, claims 3-6 are in condition for allowance and should be passed to issue at the earliest possible time. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,

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